

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BERNADETTE M. FLOWERS,

Plaintiff,

1

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 3:21-cv-05507-JRC

ORDER ON UNOPPOSED
MOTION FOR EQUAL ACCESS
TO JUSTICE ACT FEES AND
EXPENSES

This matter is before the Court on the parties' consent (Dkt. 5) and on plaintiff's unopposed motion for attorney fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. Dkt. 27.

Based on the EAJA, that defendant has no opposition, the attorney declaration and time and expense itemizations (Dkt. 27-3), and the relevant record, it is hereby ordered that EAJA attorney's fees of \$7,505.13 and expenses in the amount of \$1.89, shall be awarded to plaintiff pursuant to the EAJA and consistent with *Astrue v. Ratliff*, 560 U.S. 586, 588-89 (2010).

1 The Commissioner shall contact the Department of Treasury after the Order for EAJA
2 fees is entered to determine if the EAJA fees are subject to any offset. If it is determined that
3 plaintiff's EAJA fees are not subject to any offset allowed pursuant to the Department of the
4 Treasury's Offset Program, then the check for EAJA fees shall be made payable to Elie Halpern,
5 based on plaintiff's assignment of these amounts to plaintiff's attorney. *See* Dkt. 27-4. If there is
6 an offset, the remainder shall be made payable to plaintiff, based on the practice of the
7 Department of the Treasury. *See, e.g.*, Case No. 2:15-cv-122, Dkt. 22, at 4. Any check for EAJA
8 fees shall be mailed to plaintiff's counsel, Elie Halpern, at Halpern Olivares PLLC, 2102
9 Carriage Drive SW, Building E102, Olympia, WA 98502.

10 Dated this 13th day of May, 2022.



11
12 J. Richard Creatura
13 Chief United States Magistrate Judge
14
15
16
17
18
19
20
21
22
23
24